



Federal Communications Commission
Washington, D.C. 20554

June 25, 2019

Emma Best
MuckRock News, DEPT MR 74575 411A Highland Ave
Sommerville, MA 02144
Via e-mail to 74575-50557914@requests.muckrock.com and 75251-23326465@requests.muckrock.com

Re: FOIA Control Nos. 2019-474 & 2019-500

Ms. Best:

This letter responds to your Freedom of Information Act (FOIA) requests seeking e-mails to or from the Office of the Chairman that contain any of one hundred separate search terms, including but not limited to: hurt, accuse, worry, lost, game, marijuana, drug, soda, reward, prize, save, kill, decimate, dessert, lol, haha, hate, god, party, movie, film, fear, refuse, cat, dog, forget, candy, sun, musical, song, dance, ghost, penny, fun, odd, monster, and magic, as well as various forms of profanity. Your requests have been assigned FOIA Control Nos. 2019-474 and 2019-500.

We reject your requests. The terms you request the agency to search are unlikely to reveal materials pertaining to the operations or activities of the Commission, and thus do not reasonably describe any particular agency record. The FOIA does not require an agency to permit “an all-encompassing fishing expedition . . . at taxpayer expense.”¹

Your request incurred only de minimis processing fees, and thus you will not be billed.² You have requested a fee waiver pursuant to section 0.470(e) of the Commission’s rules.³ As you are not required to pay any fees in relation to your FOIA request, the Office of the General Counsel, which reviews such requests, does not make a determination on your request for a fee waiver.⁴

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.⁵ You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to

¹ *Dale v. IRS*, 238 F. Supp. 2d 99, 105 (D.D.C. 2002).

² We make no determination as to your fee categorization for this request.

³ 47 C.F.R. § 0.470(e).

⁴ 47 C.F.R. § 0.470(e)(5).

⁵ 47 C.F.R. §§ 0.461(j), 1.115; 47 C.F.R. § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as “Review of Freedom of Information Action.”

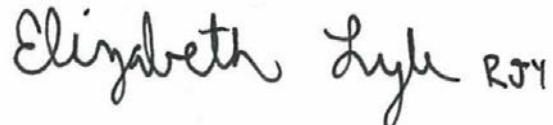
If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission’s FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission, Office of the Managing Director,
Performance Evaluation and Records Management
445 12th St SW, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission’s FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road–OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

Sincerely,



Elizabeth Lyle
Assistant General Counsel

cc: FCC FOIA Office